

### Summary of Major Differences between Old & New Wisconsin Hazardous Waste & Used Oil Rules

Old Rule		New Rule		Difference
Citation	Description	Citation	Description	
NR 590.10 Mixtures of used oil and waste	NR 590.10(4) Mixtures of used oil and waste which is hazardous solely because it exhibits the characteristic of ignitability from very small quantity generators (VSQG) are subject to regulation as used oil.	NR 679.10 Applicability of used oil rules to mixtures of used oil and hazardous waste	NR 679.10(2)(c) Mixtures of used oil and VSQG hazardous waste are regulated as used oil under this chapter.	New rule language due to adoption of RCRA rules.
NR 600.03(206) Definitions	"Solid waste" has the meaning specified under s. 289.01(35), Wis. Stats.	NR 660.10 Definitions	<p>"Solid waste" means a solid waste as defined in NR 661.02 of this chapter.</p> <p>NR 661.02(1)(a) states that a solid waste is any discarded material that is not excluded by NR 661.04(1) or that is not excluded by variance granted under NR 660.30 and NR 660.31.</p>	<p>The definition of solid waste in the old rule includes materials such as salvageable materials. As such, certain solid wastes are exempted from hazardous waste regulation in the old rule. In the new rule, materials are excluded from the definition of solid waste and so are not hazardous wastes.</p> <p>New rule NR 661.01(2)(a) states that the definition of solid waste applies only to wastes that also are hazardous for purposes of NR 600 to 673 and doesn't apply to materials that are not hazardous waste and are recycled.</p>

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NR 600.04 Prohibited activities	<p>NR 600.04 (1) Underground injection of any hazardous waste through a well is prohibited.</p> <p>Section NR 812.05 prohibited the use of any well for the disposal of solid wastes,, sewage, surface water or wastewater.</p>	NR 665 subch. R – Underground injection	Underground injection of hazardous waste is prohibited except for contaminated groundwater resulting from a remedial action if certain conditions are met.	NR 815 was revised to allow underground injection of contaminated groundwater in remediation cases. Language in NR 665 subch. R was created to reflect the revisions to NR 815.
NR 605.04 Definition of a hazardous waste	Defined the wastes that were subject to regulation as hazardous waste.	NR 661.03 Definition of hazardous waste	Defines the wastes that are subject to regulation as hazardous waste.	Includes new wastes due to updated RCRA rules. Some of the listed wastes defined in the old rule have been: revised so they are more comparable to the RCRA listed wastes (such as F027 definition changed so it does not include discarded used formulations); eliminated (such as F500, a state specific listing of chlorinated solvents, and some waste types that have been removed from the listing by EPA); expanded (such as K listed wastes that are new listings in the RCRA rules).

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NR 605.05 Exemptions	Stated the wastes that were excluded from regulation as a hazardous waste	NR 661.02 Definition of solid waste	Indicates what types of materials are or are not solid wastes. If the material is not a solid waste, it cannot be a hazardous waste.	The new rule excludes materials from the definition of solid waste, for the purposes of NR 660-673 while the old rule excludes solid wastes from hazardous waste regulation. There are some differences in the materials that are excluded from regulation. For example, in the new rule, commercial chemical products will not always be a solid waste depending on how they are handled.
NR 605.05 Exemptions from regulation as a hazardous waste	<p>NR 605.05(1)(a) 1 stated that household waste is excluded from regulation except if the hazardous waste in the stream is separated and accumulated for later treatment, storage or disposal by a person other than a member of the household where the waste is generated.</p> <p>NR 605.05(1)(a)2 stated that household waste accumulated by a municipality for 5 days or less in a clean solid waste program is excluded from regulation.</p>	661.04 (2) Solid wastes which are not hazardous waste	Household waste, including household waste that has been collected, transported, stored, treated, disposed, recovered or reused, except if the hazardous waste in this waste stream is separated and managed at a collection facility regulated under NR 666 subch. HH.	Old rule excludes household waste from regulation unless someone other than a member of the household manages the waste separately. New rule excludes household waste except when it is separated for management at a household hazardous waste collection facility. RCRA rule exempts all household waste from hazardous waste regulation. This exemption has been modified to state that household hazardous waste separated and managed at household hazardous waste collection facilities is hazardous waste.

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No equivalent		NR 666 HH Household and very small quantity generators (VSQG) hazardous waste collection facilities	Newly created Wisconsin specific code that sets standards for facilities that transport and collect household hazardous waste.	The new rule is based on department guidance that has been in effect since May 1995. Allows for temporary (≤5 days) or permanent collection facilities of hazardous wastes from household and VSQG.
NR 605.05 Exemptions	Materials excluded from regulation as hazardous waste	NR 661.04 Exclusions	Materials which are not solid wastes.	Includes new waste types that are not solid wastes due to changes in RCRA rules. Wastes such as syngas fuels, hazardous secondary materials used to make zinc fertilizers, the zinc fertilizers themselves and other specific manufacturing wastes are now excluded from regulation as hazardous waste.
NR 605.08 Characteristics of hazardous waste	NR 605.08(5)(a) stated that a solid waste exhibiting the characteristic of toxicity is hazardous waste if concentrations of contaminants in Table 2 are exceeded.	NR 661.24 Toxicity characteristic	NR 661.24(1) A solid waste (except manufactured gas plant waste) exhibiting the toxicity characteristic is a hazardous waste if concentrations of contaminants in Table 2 are exceeded.	New language is based on RCRA rules and includes exception for manufactured gas plant waste. Wisconsin previously used enforcement discretion to recognize this exception.
NR 610.07 Very small quantity generators (VSQG)	NR 610.07(7) A VSQG shall use a licensed hazardous waste transporter	No equivalent		Requiring licensed transporters is a state specific requirement, not a RCRA requirement. This is an exemption by rule under s. 291.07, Wis. Stats., from the transportation licensing requirement in s. 291.23, Wis. Stats.

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NR 610.08 Small quantity generators (SQG)	NR 610.08(1)(o)2 Record inspections on containers in an inspection log and keep the logs for at least three years.	No equivalent		New rule language due to the adoption of RCRA regulations.
NR 610.08 Small quantity generators (SQG)	NR 610.08(1)(p)3 The SQG shall record the tank inspections in an inspection log and keep the records for at least 3 years from the date of inspection.	No equivalent		New rule language due to the adoption of RCRA regulations.
NR 610.08 Small quantity generators (SQG)	NR 610.08(1)(v) If more than 1,000 kgs. but less than 6,000 kgs. of waste is accumulated, the SQG shall have a written training program and provide annual training.	No rule equivalent		New rule language due to the adoption of RCRA regulations.
No equivalent		NR 662.191 SQG Conditional manifest exemption.	NR 662.191 Manifest requirements do not apply to hazardous waste from small generators if the waste is reclaimed under contractual agreement and certain conditions are met.	New rule language due to the adoption of RCRA regulations.
NR 615.05 Large quantity generators (LQG) general requirements	NR 615.05(4)(a)2c Record inspections on containers in an inspection log and keep the logs for at least three years.	No equivalent		New rule language due to the adoption of RCRA regulations.

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NR 615.05 Large quantity generators (LQG) general requirements	NR 615.05(4)(a)5 The date upon which each period of accumulation begins shall be clearly marked and visible for inspection on each container or tank.	NR 662.034 Pre-transport accumulation	NR 662.034(1)(b) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container.	New rule language is due to the adoption of RCRA regulations and does not require date of accumulation marked on tanks.
NR 615.05 Large quantity generators (LQG) general requirements	NR 615.05(4)(b) A LQG may only accumulate hazardous waste for more than 90 days without a license if the department grants a 30 day extension. 1.The extension shall be applied for in writing 2. Shall be issued in written form 3. May be revoked by the department at any time if it is determined that revocation is appropriate to protect human health and the environment	NR 662.034 Pre-transport accumulation	NR 662.034(2) A LQG may only accumulate hazardous waste for more than 90 days without a license if the department grants a 30 day extension.	New rule language is due to the adoption of RCRA regulations and does not require the generator to request an extension in writing.  Same changes for SQG if they are accumulating waste for more than 180 days.
No equivalent		NR 662.034 Pre-transport accumulation	NR 662.034(7) A large quantity generator (LQG) who generates F006 wastewater treatment sludge from electroplating operations may accumulate the sludge on site for up to 180 days (or 270 days) if certain conditions are met.	New rule language due to the adoption of RCRA regulations. Previously used enforcement discretion.

Old Rule		New Rule		Difference
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NR 615.08 Manifest system	NR 615.08(6) Required manifest to consist of at least 6 copies which will provide 2 copies for the generator, 1 copy for initial transporter, 1 copy for the TSD and 2 copies for DNR.	NR 662.022 Number of manifest copies	The manifest consists of at least 5 copies which will provide the generator, initial transporter, owner or operator of the TSD and the department with 1 copy each for their records and another copy to be returned to the generator.	Routing of manifest copies to the regulatory agency is not a RCRA requirement. Copy of manifest no longer needs to be mailed to DNR within 5 business days of the shipment leaving the generator site.
NR 615.08 Manifest system	NR 615.08(6) After the transporter signs and dates the manifest, the generator shall send 1 copy to the DNR within 5 business days.  NR 615.08(10) A generator using a consignment state's manifest shall send a photocopy of the copy received from the receiving facility to the department within 5 business days of receiving the copy from that facility.	NR 662.023 Use of the manifest	NR 662.23(3) For shipments of hazardous waste outside of Wisconsin, the generator shall submit a copy of each manifest to the department within 30 days of receiving the signed copy from the designated facility.	New language requires 1 copy of manifest to be submitted to DNR. Generator submits copy to DNR if they are sending waste to an out of state TSD. In state TSDs submit copy of manifest instead of the generator.

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NR 615.10 Pre-transport requirements	NR 615.10(2)(b) Before transporting, a generator shall mark each container used to transport hazardous waste with the information: HW – State and Federal Law prohibit improper disposal. If found, contact emergency authorities. Include generators name and address and manifest document number.	NR 662.032 Pre-transport marking	NR 662.032(2) Before transporting hazardous waste off-site, a generator shall mark each container of 110 gallons or less used in transportation with the same information.	New rule language is due to the adoption of RCRA regulations and does not require marking on containers < 110 gallons in size.
No rule equivalent		NR 663.10 Scope of the hazardous waste transportation standards	NR 663.10 (5) states that the regulations do not apply to transportation during an explosives or munitions emergency response.	New rule language due to the adoption of RCRA regulations.
NR 620.07 Manifest system	Waste must be accompanied by a manifest except when transporting very small generator waste.	NR 663.20 Manifest system	Small quantity generator waste transported under a waste reclamation agreement does not need to be manifested if certain requirements are met.	New rule language due to the adoption of RCRA regulations.
NR 620.07 Manifest system hazardous waste transporter	NR 620.07(5) required the transporter shall give the generator the original and 1 signed copy of the manifest before leaving the generator's premises.	NR 663.20 Manifest system	NR 663.20(2) requires the transporter shall give the generator a signed copy of the manifest before leaving the generator's property.	The second copy of the manifest previously given to the generator was the copy that was mailed to DNR. This DNR copy of the manifest has been eliminated.



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NR 620.14 Hazardous waste transfer facility requirements	In addition to RCRA requirements, required the 10-day transfer facility to comply with state specific requirements, such as inspect the containers, date the containers when they are received in the facility, have record keeping and operating records and prohibits bulking of waste.	NR 663.12 Transfer facility requirements	Requires a 10-day transfer facility to comply with DOT packaging requirements; allows bulking.	New rule does not include state specific requirements for 10-day transfer facilities.
NR 620.15 Hazardous Waste Transportation License	NR 620.15(1) required an application for a transportation service license to be accompanied by the fee specified in NR 680.45.	NR 663.13 License requirements	NR 663.13(1)(b) requires an application form and fee for each transportation service to be submitted to the regional office of the department in the region where the transportation service is located.	Except for environmental fees, Appendix II of new rule NR 670 includes all hazardous waste activities subject to fees, including manifest fees, license fees for transporters and license and review fees for TSDs. Appendix II reflects a fee increase of 30% or more. The hazardous waste program fees were last increased in 1998.
NR 625 Recycling standards	Stated requirements for facilities that recycle wastes by legitimate recovery, beneficial use or reuse and burning waste for energy recovery.	NR 661.06 Requirements for recyclable materials  NR 666 subch. H Hazardous waste burned in boilers and industrial furnaces	NR 661.06(3) states requirements that apply to owners or operators of facilities that recycle hazardous waste.  NR 666 subch. H regulates facilities that burn hazardous waste for energy recovery or destruction or processing for material recovery.	New language is based on RCRA rules. New rule NR 661.06(3) has reduced requirements for facilities that recycle wastes on-site. The new rule also includes NR 666 subch. H, BIF, a RCRA rule that was not part of the old rule.

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No equivalent		NR 670.022 Specific FPOR information requirements for boilers and industrial furnaces burning hazardous waste	States information specific to boilers and industrial furnaces that should be included in FPOR	Necessary because of adoption of NR 666 H, BIF.
No equivalent		NR 660.40 Additional regulation of certain hazardous waste recycling activities on a case-by-case basis. NR 660.41 states the procedures the department will use.	The department may decide on a case by case basis that persons accumulating or storing spent batteries should be regulated as generators or licensed storage facilities.	New rule language due to adoption of RCRA rules.
No equivalent		NR 666 subch. C – Recycled materials used in a manner constituting disposal	NR 666.020(2) and (4) exempts certain recycled materials when they are used in a manner that constitutes disposal (applied to or placed on the land): Products produced for the general public use containing recyclable materials that have undergone a chemical reaction so as to become inseparable by physical means and meet applicable LDR treatment standards and zinc fertilizers excluded from the definition of solid waste that meet applicable LDR treatment standards.	New rule language due to adoption of current RCRA rules.

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No equivalent		NR 666 subch. F Recyclable materials utilized for precious metal recovery	Requirements for persons who generate, transport or store recyclable materials with significant amounts of precious metals, such as gold, silver and platinum	New rule language due to adoption of RCRA rules.
NR 630.04 Exemptions from general requirements of TSDs	NR 630.04(1) stated that an owner or operator of a wastewater treatment unit treating waste on site is exempt from TSD requirements. If the wastewater treatment unit accepts waste from off site, notification, manifesting, annual reporting and an operating record are required.	NR 664.0001 Purpose, Scope and Applicability section establishing minimum operating standards	NR 664.0001(7)(f) states that wastewater treatment units are exempt from TSD standards.	New rule language due to the adoption of RCRA regulations. New rule does not include state specific requirements if the wastewater treatment unit treats waste from off site (same requirement is in NR 665 for interim licensed facilities).
NR 630.04 Exemptions from general requirements of TSDs	NR 630.04(7) stated that an owner or operator of an elementary neutralization unit is exempt from the TSD requirements if they comply with certain requirements, such as notification, security, inspection and recordkeeping requirements.	NR 664.0001 Purpose, Scope and Applicability section establishing minimum operating standards	NR 664.0001(7)(f) states that elementary neutralization units are exempt from TSD standards.	New rule language due to the adoption of RCRA regulations. New rule does not include state specific requirements (same requirement is in NR 665 for interim licensed facilities).

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No equivalent language		NR 664.0001 Purpose, Scope and Applicability section establishing minimum operating standards	NR 664.0001(7)(h) states that persons engaged in treatment or containment activities during immediate response to certain situations are not subject to the requirements in NR 664.	New rule language due to the adoption of RCRA regulations. Allows persons to take response action in situations such as a discharge of hazardous waste or an immediate threat caused by munitions or explosives (same language is in NR 665 for interim licensed facilities).
No equivalent language in NR 630 or NR 680		NR 664.0001 Purpose, Scope and Applicability section establishing minimum operating standards	NR 664.0001 (10) (a) to (L) sets alternate standards to the general facility and preparedness and prevention, contingency plan and emergency requirements stated in NR 664 for remediation waste management sites.	New rule language due to the adoption of RCRA regulations.
NR 630.18 Location standards for TSDs	NR 630.18 (1) stated that a facility may not be located in a floodplain, unless it is a facility operating under an interim license, variance or waiver that meets certain requirements.	NR 670.014 Contents of feasibility and plan of operation - general requirements	NR 670.014(2)(k)4 requires a facility located in a floodplain to provide information regarding certain procedures and requirements.	New rule language due to the adoption of RCRA regulations. New rule allows final licensed facilities to be located in a floodplain while old rule only allowed an interim licensed facility or a facility with a waiver or variance to be located in a floodplain.

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NR 630.22 Contingency plan and emergency procedures	NR 630.22 (1) (b) required a copy of the contingency plan and all revisions of the plan to be filed with the department and sent to local police departments, fire departments, hospitals and emergency response teams that may provide service.	NR 664.0053 Copies of contingency plan	NR 664.0053(2) requires a copy of the contingency plan to be sent to local police departments, fire departments, hospitals and emergency response teams that may provide service.	New rule does not include state specific requirement for large generators and TSDs to send copies of the contingency plan to the DNR (same requirement is in NR 665 for interim licensed facilities).
NR 630.30 Manifest requirements	NR 630.30 (4) (f) required the department will charge a fee of \$2.00 for each manifest submitted.	NR 664.0071 Use of manifest system	NR 664.0071(1)(f) requires the TSD to pay a manifest fee for each manifest submitted as designated in Appendix II of ch. NR 670.	Except for environmental fees, Appendix II of new rule NR 670 includes all hazardous waste activities subject to fees, including manifest fees, license fees for transporters and license and review fees for TSDs. Appendix II reflects a fee increase of 30% or more. The hazardous waste program fees were last increased in 1998.
NR 630.30 Manifest requirements	NR 630.30 (4) (f) & (5) (f) required a TSD to send a copy of the manifest to the department within 5 working days of receiving the waste.	NR 664.0071 Use of manifest system	NR 664.0071(1)(d) requires a TSD to send a copy of the manifests to the department electronically within 30 days of receiving the waste.	Sending copies of the manifest to the regulatory agency (DNR) is not a RCRA requirement. The new rule changed the submittal of manifests to an electronic format within 30 days of receiving the waste rather than mailing paper copies within 5 days of receiving the waste (same requirement is in NR 665 for interim licensed facilities).

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No equivalent		NR 664/665 AA/BB/CC Air emission standards for process vents, equipment leaks and tanks, surface impoundments and containers for final and interim licensed facilities	Updates to air emission standards for interim and final licensed facilities. Includes new, deleted and modified requirements.	Changes in rule language due to adoption of RCRA rules. Note that DNR is not currently authorized for CC rules.
No equivalent		NR 670.024 Specific FPOR information requirements for process vents  NR 670.027 Specific FPOR information requirements for air emission controls for tanks, surface impoundments and containers	Information that is to be included in the FPOR to demonstrate compliance with AA & CC air emission standards.	New rule language due to adoption of RCRA rules.
No equivalent		NR 664 subch. S Special provisions for clean up	Corrective action management units - Updates to CAMU rule.	New rule language due to adoption of RCRA rules.

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NR 640.07 Small storage facility requirements for containers	Established alternate feasibility and plan of operation submittal requirements for small storage facilities such as an enclosed and roofed facility with a floor area of 1,500 sq. ft. or less and capacity of less than 10,000 gallons where waste is stored in containers or tanks for economical treatment or storage.	No equivalent in new rule NR 664/665/670		This was a state specific standard that is not in the new rule.
No equivalent in NR 640, Container standards		NR 664.0175 Container standards for TSDs	664.0175(2)(c) Containers that do not contain free liquids need not be considered in 10% volume capacity for secondary containment.	Old rule required all containers to be considered when determining volume capacity of the container containment capacity.
NR 645.16 Small storage facility requirements for tanks	Established alternate feasibility and plan of operation submittal requirements for small storage facilities such as an enclosed and roofed facility with a floor area of 1,500 sq. ft. or less and capacity of less than 10,000 gallons where waste is stored in containers or tanks for economical treatment or storage.	No equivalent in new rule NR 664/665/670		This was a state specific standard that is not in the new rule.

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NR 655 Waste pile standards	Specified the requirements and standards that apply to hazardous waste waste piles	NR 664/665 subch. L Waste piles	NR 664.0251/665.0254 Design and operating requirements for waste piles	The old rule stated specific technical criteria for waste piles. The new rule for interim and final licensed waste piles states the standards that must be met, but not the specific technology that must be used to meet the standards.
NR 655 Waste pile and containment building standards	NR 655.05(2)(b) prohibits placement of hazardous wastes containing free liquids in waste piles and containment buildings	NR 664/665 subch. DD; Design and operating standards for containment buildings for final and interim licensed facilities	NR 664.1101/665.1101 allows free liquids to be stored in containment building if certain standards are met.	New rule language due to adoption of RCRA rules.
Chapter NR 660 Landfill and surface impoundment standards	Specified the requirements and standards that apply to hazardous waste landfills and surface impoundments	NR 664/665 subch. K Surface impoundments  NR 664/665 subch. N Landfills	NR 664.0221/665.0221 Design and operating requirements for surface impoundments  NR 664.0301/665.0301 Design and operating requirements for landfills	The old rule stated specific technical criteria for landfills and surface impoundments. The new rule for interim and final licensed surface impoundments and landfills states the standards that must be met, but not the specific technology that must be used to meet the standards.



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NR 660.06 Location standards	NR 660.06(1) Landfills and surface impoundments are not allowed within: 1,000 ft. of any navigable lake, pond or flowage; 300 ft. of a navigable river or stream; 1,000 ft. of the nearest right-of-way; areas where there is reasonable probability that disposal shall have a detrimental effect on surface or groundwater and cause a violation under NR 140; 10,000 ft. of airport runways; 1,200 ft. from any public or private water supply; areas where clay soils extend less than 30 ft. beneath surface, contain no coarse grain soils or have an infield permeability of $10^{-6}$ cm/sec; active portion must be 200 ft. from property line.	NR 664 subch. A General location standards for TSDs	NR 664.0018(2) A facility located in a 100 year floodplain shall be designed, constructed, operated and maintained to prevent washout of any hazardous waste by a 100 year floods (exceptions follow).  No interim standards stated in NR 665.	<p>The new rules do not include the specific prohibitions for siting hazardous waste landfills listed in the old rule s. NR 660.06(1), however, other statutes and department rules provide for protection of surface and groundwater quality. Anyone proposing to construct a hazardous waste disposal facility is required to be in compliance with these rules and statutes.</p> <p>In addition, under the new rules any hazardous waste landfill or surface impoundment proposed to be constructed has to comply with all of the local approval, and pre-application and meeting requirements and the environmental review process. They are also required to prepare and submit an initial site report to obtain a preliminary opinion from the department on the feasibility of the site for development as a disposal facility. The feasibility plan and plan of operation report requires submittal of detailed information to ensure the protection of surface and groundwater.</p>

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NR 660 Landfill and surface impoundment standards	NR 660.11 For landfills and surface impoundments: Feasibility determination within 60 days after the 45 day notice period has expired.	NR 670.403 License application procedures	NR 670.403(3) Each license application submitted by the owner or operator of a HWM facility consisting of both the Part A and the feasibility and plan of operation report shall be reviewed for completeness within 60 days of receipt.	New rule requires the feasibility report and plan of operation to be submitted together for all treatment, storage and disposal facilities rather than the feasibility report and the plan of operation report being submitted separately for land disposal facilities.
NR 660.18 Minimum design and operating requirements	NR 660.18(3)(b) and NR 660.18(3)(d) prohibit certain K, F, U and P wastes from being disposed in a land disposal unit.	NR 668 Land disposal restrictions	NR 668.40 Treatment standards for hazardous waste	Updates old rule. Land disposal restrictions require treatment standards to be met before waste can be placed in a land disposal unit.
No equivalent		NR 664.0340 Incinerators - applicability	NR 664.0340(2)(a) The incinerator requirements do not apply when compliance with the MACT requirements of 40 CFR 63, subpart EEE is demonstrated.  NR 665.0340(2)(a) Essentially the same	New rule language due to adoption of current RCRA rules.

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No equivalent		NR 664.0340 Incinerators - applicability	NR 664.0340(3) The department shall exempt the applicant from the requirements of this subch., except waste analysis and closure, by plan approval conditions if the waste is ignitable, corrosive or both or is reactive waste if certain conditions are met.  NR 665.0340(3) for interim facilities is similar language.	New rule language due to adoption of RCRA rules.
No equivalent		NR 664/665 subch. EE Standards for hazardous waste munitions and explosives storage	Establishes design and operation standards for alternative hazardous waste storage units for military and non-military munitions and explosives. Allows hazardous waste munitions and explosives to be stored in earth covered magazines, above ground magazines and outdoor or open storage areas.	New rule language due to adoption of RCRA rules.
No equivalent		NR 666, subch. M – Standards for the transport, storage, treatment and disposal of military munitions classified as solid waste	Standards applicable to the treatment, storage, disposal and transportation of military munitions that are solid waste and emergency response.	New rule language due to adoption of RCRA rules.

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No equivalent		NR 666 subch, N Conditional exemption for the low-level mixed waste transportation, storage, treatment and disposal	Allows the operator an extended storage period for the isotopes to decay prior to final disposal. Once the isotopes have decayed sufficiently, the exemption no longer applies and the waste is considered hazardous waste subject to NR 600 rules.	New rule language due to adoption of RCRA rules.
NR 675 Land disposal restrictions	Requirements for wastes restricted from land disposal, including paperwork requirements, treatment standards and exemptions.	NR 668 Land disposal restrictions	Updates to the requirements for wastes restricted from land disposal, including paperwork requirements, treatment standards and exemptions.	New rule language due to adoption of RCRA rules. Updates include Phase IV of LDR - one time notification; keeping records for 3 years instead of 5 years (previously allowed by enforcement discretion); updated language for some specific waste types; revision of California wastes; and, alternate treatment standards for contaminated soils.
NR 680 Plan review and licensing	NR 680.07(5)(a) No person may implement a class 1, 2 or 3 modification without prior written approval from the department.	NR 670 License modifications at the request of the licensee	NR 670.042(1)(b) Some class 1 license modifications may be made without the prior written approval of the department, as identified in Appendix I.	New rule language due to adoption of RCRA rules.

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NR 680.21 Application for an interim license	NR 680.21 Interim license application shall include part A forms, closure plan and cost estimate, long term care plan and cost estimate, contingency plan and the required fee. The department may require the owner/operator to submit copies of all available drawings, specifications, other existing information necessary to complete the interim license application, including a description of how the facility meets the interim license requirements for specific hazardous waste management units.	NR 670.013 Application for an interim license	Interim license application shall include part A forms, topographic maps, scale drawing and description of process.	New rule language due to adoption of RCRA rules. Rather than submitting reports with the part A, the new rule requires them to be submitted as part of FPOR.
No equivalent		NR 670.072 Changes during an interim license	States modifications that can be made to the interim license, such as the addition of newly listed waste types.	New rule language due to adoption of RCRA rules.
NR 680.42 Conditions applicable to all licenses	NR 680.42(5) The department may waive the construction inspection in writing.	NR 670.030 Conditions applicable to all licenses	NR 670.030(12) (b) If the licensee has not received notice from the department of the department's intent to inspect within 15 days, prior inspection is waived.	New rule language due to adoption of RCRA rules.

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NR 680.45 License periods and fees	NR 680.45(1)(a) required the plan review fee or license fee specified in Table XII or XIII to accompany all license applications and plan submittals.	NR 670 Hazardous waste licensing and decision making procedures	NR 670.010 The plan review or license fee specified in Appendix II shall accompany all license applications and plan submittals.  NR 670.427(1)(b) requires the submittal of the fee specified in Appendix II with the TSD license renewal form.	Except for environmental fees, Appendix II of new rule NR 670 includes all hazardous waste activities subject to fees, including manifest fees, license fees for transporters and license and review fees for TSDs. Appendix II reflects a fee increase of 30% or more. The hazardous waste program fees were last increased in 1998.
NR 680.50 Variances	Department may issue a variance from NR 600 to 679 requirements if the application or compliance with a license would cause undue and unreasonable hardship.	NR 670.068 Remediation variances	For purposes of hazardous waste remediation, issuance of a treatment or storage license under this chapter would constitute an undue or unreasonable hardship.	Although variances are allowed by s. 291.31, Wis. Stats., the only variance language in the new rule is the remediation variance. (Language was added to the land treatment section, NR 664/665 subch. M, stating that variances may not be issued for land treatment.)
No equivalent		NR 660.30 Variances from classification as a solid waste (standards and criteria stated in NR 660.31)	Allows the department on a case-by-case basis to determine that certain recycled materials are not solid wastes.	New rule language due to adoption of RCRA rules.
No equivalent		NR 660.32 Variances to be classified as a boiler	Allows the department to determine on a case-by-case basis that certain enclosed devices using controlled flame combustion are boilers.	New rule language due to adoption of RCRA rules.

Old Rule		New Rule		Difference
Citation	Description	Citation	Description	
No equivalent		NR 660.33 Procedures for variances from classification as a solid waste or to be classified as a boiler.	Requires: the applicant to submit information to the department that meets the specified criteria; the department to issue a draft decision for public comment and issue a final decision.	New rule language due to adoption of RCRA rules.
NR 685.07 Financial responsibility	NR 685.07(3)(a) - Cost estimate for closure. Closure costs shall include the cost of closing the facility and include a 10% contingency.	NR 664.0142 (1) Cost estimate for closure	NR 664.0142 (1) The owner or operator shall have a detailed written estimate, in current dollars, of the cost of closing the facility.	10% contingency not required for closure in new rule.
685.07 Financial responsibility	NR 685.07(4)(a) - Long term costs shall include the costs to provide long term care and a 10% contingency.	NR 664.0144 Cost estimate for long-term care	NR 664.0144 (1) The owner or operator of a disposal surface impoundment, miscellaneous unit or landfill unit shall have a detailed written estimate, in current dollars, of the annual cost of long term care monitoring and maintenance of the facility according to the applicable long term care rules.	10% contingency not required for long term care in new rule.
No equivalent		NR 673 Universal waste	NR 673.05 Applicability – Lamps. The requirements of this chapter apply to persons managing lamps.	New rule language due to adoption of RCRA rules. Previously used enforcement discretion to regulate lamps as a universal waste.